

Senator Fountain moved that the report be adopted.

Carried.

Senator Bowers moved that as the House had adjourned until Monday, February 21, 1870, at ten A. M., the Senate adjourn until the same time.

Carried.

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ELEVENTH DAY'S PROCEEDINGS.

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SENATE CHAMBER,  
AUSTIN, Monday, February 21, 1870.

Senate met pursuant to adjournment.

Lieutenant-Governor J. W. Flanagan presiding.

Roll called; quorum present.

Minutes of Friday read and approved.

Senator Douglas presented the credentials of Senator Pickett. Thereupon Senator Pickett took the oath of office and his seat.

*Communication from the House.*

WHEREAS, The people of Texas have adopted a Republican constitution; and

Whereas, the Legislature of the State of Texas, duly assembled by virtue of said instrument, has ratified the Thirteenth, Fourteenth and Fifteenth Amendments to the Constitution of the United States, thus in good faith complying with the conditions precedent to the admission of Texas in the Federal Union; and

Whereas, the signal triumph of Republican principles in the late election has resulted in the installation of the entire Republican candidates, and has secured the balance of power in both Houses of the General Assembly; and

Whereas, the State of Texas is sorely pressed for appropriate relief for her weak, crippled and almost impoverished condition incident to the long absence of remedial legislation; therefore be it

*Resolved by the Senate and House of Representatives of the State of Texas,* That the Legislature, in order to speedily commence the work of advancing the material wealth and civil

liberty of Texas, shall meet at such time as the Governor may direct by proclamation.

*Be it further resolved*, That a copy of this preamble and of these resolutions be forwarded to the Speaker of the House of Representatives and the President of the Senate of the United States.

Senator Flanagan moved to table the resolution.

Carried.

*Communication from General Reynolds relative to contested seat of Senator Dohoney by H. Peterson.*

# HEADQUARTERS FIFTH MILITARY DISTRICT,

(STATE OF TEXAS.)

OFFICE OF SECRETARY OF CIVIL AFFAIRS,

AUSTIN, February 18, 1870.

I decline to take action on this paper, (received February 17, 1870.) It is respectfully referred to the Senate to which the applicant claims to belong.

J. J. REYNOLDS,

Brevet Major General U. S. A., commanding.

Senator Ruby moved that the matter be referred to Committee on Elections.

Senator Fountain moved the previous question.

Seconded.

Yeas and nays called for on the motion to refer, and carried by the following vote:

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|-----------|----|
| Yeas..... | 18 |
| Nays..... | 8  |

Those who voted in the affirmative are—

Mr. Alford  
Baker  
Bell  
Campbell  
Clark  
Ford  
Flanagan  
Foster  
Fountain

Mr. Gaines  
Hall  
Hertzberg  
Mills  
Parsons  
Pridgen  
Rawson  
Ruby  
Saylor

sic

Those who voted in the negative are—

Mr. Bowers  
Broughton  
Cole  
Douglas

Mr. Evans  
Latimer  
Pyle  
Shannon.

Message from the House transmitting joint resolution :

WHEREAS, It may be some time before Congress shall have acted upon the reception or rejection of our Constitution ; and

Whereas, it is well known that the judges of the Supreme Court, now on the bench, are exerting their influence to secure an order from the Commanding General for an immediate removal of all Supreme Court records, libraries, etc. ; and

Whereas, it may be that the State Legislature, after this State becomes one of the Union, may never desire the removal of the libraries ; therefore be it

*Resolved by the Legislature of Texas*, That the Commanding General is most respectfully, but earnestly, petitioned to permit the books, records, papers and libraries of the two branches of the Supreme Court to remain at their respective places—Galveston and Tyler—until, by action of Congress, it shall become the duty of the Legislature to act in the premises.

Senator Bowers moved that the rules be suspended and House resolution be put upon its second reading.

Carried.

Read second time.

Senator Bell moved the further suspension of the rules and the resolution be put upon its third reading and final passage.

Carried.

Read third time and passed.

Resolution by Senator Parsons as follows :

*Resolved*, That the Senate of the State of Texas adjourn in respect to the memory of Hon. M. A. Elliott, deceased, recent member of the House of Representatives of this Legislature.

Senator Flanagan moved to adopt the resolution.

Carried.

On motion of Senator Flanagan, the Senate adjourned until to-morrow morning at ten o'clock.

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